

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

CALL TO ORDER

Mayor McAleer called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Ed McAleer
Kent Attwell
Michele DeYoe
Michael Frede
Dan Jashinsky
Matthew Katz
Chris Smith
Roger Dupler, Planner
Gina Gresch, City Clerk/Treasurer
Tom Maney, City Inspector
Tim Schuenke, City Administrator

Absent

Kevin Fitzgerald

**PUBLIC HEARING #1: AMEND CONDITIONAL USE TO REVISE THE CAMPUS
MASTER PLAN AND DEVELOP A FINE ARTS CENTER.**

OWNED BY: St. John's Northwestern Military Academy, 1101 N. Genesee
Street, Delafield

APPLICANT: St. John's Northwestern Military Academy, 1101 N. Genesee
Street, Delafield

MATTER: Applicant seeks approval of an amended Conditional Use to
revise the Campus Master Plan and develop a Fine Arts Center

Jay Smith, Vice President, stated the request to amend the Conditional Use Permit to revise the Campus and Master Plan and to develop a Fine Arts Center included design work for a 44,000 square foot auditorium to be used for educational programming for fine arts at St. John's Northwestern Military Academy. The Center would provide an opportunity to coordinate with the community. He then shared the site plan for the project, noting the parking requirement by the City would be met by utilizing the current tennis court space and constructing a 12 court tennis complex elsewhere on campus. The roadway shown on the site plan was in error and would be changed in future submissions to the City.

There was no one wishing to comment at this time.

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K. ATTWELL MOVED TO CLOSE PUBLIC HEARING NO. 1 AT 7:04 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PUBLIC HEARING #2: REZONING FROM RE-2 (2-Acre Rural Estate) TO RL-1 (Residential Lake)

OWNER: James R. Lang, 2731 Nagawicka Road, Delafield

APPLICANT: Jay Lang, 132 W. Oak Street, Lake Mills.

This item was postponed until the next Plan Commission meeting.

PUBLIC HEARING #3: PLANNED DEVELOPMENT – REVISED SPECIFIC IMPLEMENTATION PLAN

OWNED BY: Trillium, LLC., PO BOX 180138, Delafield, WI 53018

APPLICANT: Jeffery Christensen, PO BOX 180138, Delafield, WI 53018

MATTER: Applicant seeks approval of Planned Development – revised Specific Implementation Plan to allow for additional modified architecture, relocated building pads, reduced landscape features and an additional sign

Mayor McAleer opened the Public Hearing at 7:05 p.m.

Vac Milka, Kingsway Homes, builder and designer for the project, stated his company provided the conceptual design and building contract for the original project. He was present to request a reduction in the size of the footprint for the housing for the project. The original project called for 20 single family condominium units with a variety of architecture and architectural detail options. With this current proposal, the unit size had changed, and the building pads had been reduced by 9.2%. The housing building pads were the same with this request as shown on the original plan; however, the building pads would be shifted on the lot according to the need for roadway or lot setbacks. This project had been revised to be more market sensitive and more energy efficient.

John Stigler, of Jahnke and Jahnke, stated his firm had been engineers for the project, since the beginning of the project. Some buildings had been moved back to accommodate the overall distance to the curblin. The smaller buildings would fit into the footprint of the larger originally proposed buildings.

Mike Huron, resident located across from the project, expressed concern about the luminescence of the lighting for the project. In the original plan for the project, it was noted that the lights were to be 18 inches in height and the installed lights were 43 inches in height. The lighting did not meet the specified height found in the original project, and he thought it should. This project would affect his property more than others as his property was located directly

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across the street from the sign and it shown onto his property currently. He would like to see it changed to the original design specifications.

Mayor McAleer stated comments had been received from area residents on this matter. The following statements were read into the record regarding this matter.

Trillium has a history of not being a good neighbor to the citizens of Delafield.

The 3 facts are:

- 1. Lighting should be 18 inches and one candlepower. This has been in non-compliance since the inception of the project.*
- 2. The second row of spruce trees should have been planted 7.5 years ago; this was part of the development plan for neighbor's privacy.*
- 3. The Storm water Management Plan should be verified by an independent engineering paid for by trillium to be sure they are in compliance.*

Thank you,

Erv Sadowski.

*Dear City of Delafield Plan Commission Board Members,
June 2010*

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Dave Labott and I would like to ask for your support on a few issues we read in the "Plan Changes to Sanctuary of Delafield" that will be presented to you on 30 June 2010 for final approval. We are unable to attend the meeting. Our concerns are listed in the order they appear in the letter/plan. Please contact us if you need clarification on any items or would like to stop by to see our concerns for yourself.

1. In the Jahnke & Jahnke letter dated 2 June 2010, the last paragraph discusses increasing setbacks on Building # 2. We respectfully ask you to deny this requested change, as the space between Building # 2 and the 1306 Main St east property line needs to be preserved to plant the double row of pine/spruce trees per the original approved plan. To date, Trillium has not planted any trees along the east property line of 1306 Main St.

2. Since Trillium did not execute the original approved plan by installing the double row of trees along 2 sides of the 1306 Main St property, we are asking for those spruce trees that are removed from "Plan Changes to Sanctuary of Delafield Plan L1 changes # 5 and # 6" to be planted around 1306 Main St by October 1, 2010. If Trillium fails to meet this deadline, we ask the City to take escrow money to execute the original plan by purchasing and planting the approved trees by the end of 2010 (or Spring 2011 if weather prevents planting in 2010). This request should be added on to "Plan Changes to Sanctuary of Delafield Plan L1 changes # 8" Addition of pine and Spruce trees to the east lot line to screen neighbors.

3. Trillium planted a single row of trees along the south property line of 1306 Main St, however some of the trees died and were cut down. There are no trees remaining to follow the approved plan of double row of pine/spruce trees. The headlights from vehicles traveling on Sanctuary Lane in both directions shine along the entire sides of our house (at Bldgs 3 & 19 on the south

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side and Bldgs 2 & 9 on the east side). We expressed our concerns about the lights shining into our house during the initial approval and are expressing them again here so that action will be taken this time to plant the trees as approved.

4. If "Plan Changes to Sanctuary of Delafield Plan L2 # 2" is approved, will that mean the noxious weeds that grow 6+ feet tall at Lapham Peak and Sanctuary Lane will also be removed? Please include maintenance of the grassy area to a height below 2 feet in your approval.

5. Regarding "Plan Changes to Sanctuary of Delafield Plan L3 # 2:

A. during the Plan Commission meeting on 10 June 2010, the gentleman from Jahnke & Jahnke stated there were not any street lights at the intersection of Main & Sanctuary Lane. I'm not sure where he was looking, but we see 2 street lights, one on each side of the intersection. One of those lights is along the 1306 Main St property line and we see it every night. We invite you to take a look for yourself.

B. The light pollution from the signs at Main St and Sanctuary Lane needs to be reduced. This should be accomplished with 2 methods....First, a 75% reduction in wattage of lights and second, a 50% reduction in # of lights.

One other question.... Perhaps the City can measure the height of the lights and mounting bases that are already installed versus what Trillium is requesting for a change (23 inches PLUS mounting base)? The height of the lights is mentioned in the original plan as 18 inches. The original plan does not mention the height of the mounting base.

In Summary, we request your consideration of the following:

1. Please do not approve the increased set back on Building # 2 (SIP 5/17/10 # 1) so already approved double row of pine/spruce trees can be planted.
2. Move trees from L1 # 5 & # 6 and plant around 1306 Main St Property as indicated in "approved" plan to shield neighbor at 1306 property from vehicle lights on Sanctuary Lane.
3. Add "maintenance" of Lapham Peak Road grassy area around pond as part of entrance sign and retaining wall approval L2 # 2
4. Reduce wattage, mounting height and number of lights on Main St/Sanctuary lane to address light pollution in L3 # 2.

We have been patient for the 5+ years that this project has been dragging on and thank you for your support.

Sincerely,
Dave & Denise Labott
1306 Main St Delafield WI 53018
262.646.5664

A letter from Donald Gottschalk, 1465 Milwaukee Street, was also received by City Staff and distributed to the Commission prior to the meeting. This letter also expressed concern about the Trillium Development activities.

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M. DEYOE MOVED TO CLOSE PUBLIC HEARING NO. 3 AT 7:14 P.M. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PUBLIC HEARING #4: PLANNED DEVELOPMENT – AMENDED GENERAL DEVELOPMENT PLAN

OWNED BY: Joe McCormick, 101 N. Mill Street, Madison, WI

APPLICANT: Johnson Design, 211 W. Second Street, Oconomowoc, WI

MATTER: Applicant seeks approval of an amended Planned Development – General Development Plan to develop a multi-use residential project consisting of two multi-family buildings and single family homes.

R. Dupler explained that the petitioner had originally needed a Public Hearing on this matter due to an alteration in road pattern. Since the time of application for the Public Hearing, the petitioner had decided not to pursue this roadway pattern, thus the public hearing was not needed at this time.

Kent Johnson, representing the applicant and architect for the project, stated the roadway plans had originally called for continuing Division Street to the east and that was no longer the case. The lots for the project were shown to be in conformance with the R-3 zoning district. No public hearing was needed on this matter.

PUBLIC HEARING #5: ZONING CODE TEXT AMENDMENT – TREE CLEARING ON LOTS ABUTTING NAVIGABLE WATERS

APPLICANT: City of Delafield

MATTER: Consideration of an ordinance to create Section 17.12(3) of the Municipal Code of the City of Delafield limiting tree removal on lake and river lots.

T. Schuenke noted the request for this matter had come from Alderperson B. Leonard to consider the tree preservation ordinance. Her intent was to preserve the trees on lakeshore lots.

There was no one present wishing to speak on this matter at this time.

D. JASHINSKY MOVED TO CLOSE THE PUBLIC HEARING NO. 5 AT 7:17 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

1. Approve Plan Commission meeting minutes of June 10, 2010

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M. DEYOE MOVED TO APPROVE THE JUNE 10, 2010 PLAN COMMISSION MEETING MINUTES AS PRESENTED. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. Delafield Citizen's Comments pertaining to subjects on this agenda

John Howley, 816 Wells, stated he owned the property directly north of the Delafield Lakes development. He was concerned that lowest point of the project was close to his property. The northeast corner of development was next to the southeast corner of his property. For the last ten years he had been trying to work on this matter with the City due to the presence of standing water. In recent meetings, he had been told that he would receive information on the storm water developments for the project, but to date had not received any. He wanted the water issues addressed as he was concerned about the level of the drainage pond being higher than the floor of his basement. He thought either the developer or the City should be responsible for proper drainage in that area.

M. DEYOE MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:20 P.M. M. KATZ SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. CONSENT AGENDA

None.

4. Final Consideration, Approvals, Previous Approval

- a. **DELCO 0792.065.001, 1101 Genesee Street, Delafield.** Owner/Applicant: St. John's Northwestern Military Academy. Applicant seeks approval of a major change to the Conditional Use for a new Fine Arts Building and amendment to their Campus Master Plan.

Jay Smith introduced John Lichtenstein from Strang, and explained the proposal included a request for a 44,000 square foot Fine Arts Building and an amendment to the Campus Master Plan for academic programming on the St. John's Northwestern Military Academy (SJNMA) campus. He went on to explain the upper level of the building would face Exeter Street and would be at grade with the lower level remaining the same as originally proposed. Parking for the building would be accommodated on campus. Grading, topography changes, and roadway changes were proposed south of the new building without a turnaround as proposed previously. The revised roadway plan included an extension of Exeter Street to Smythe Lane and was depicted on the site plan for the project.

J. Lichtenstein explained the parking issues had been changed with this revision. He noted the parking could be accommodated on site with 70 of the 193 parking stalls being constructed at the current tennis court location. A larger tennis court complex would also be constructed elsewhere on the campus as part of the overall

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construction phasing for SJNMA, but was not considered part of this project despite being constructed at the same time. Exeter Street now would connect with Smythe Lane, thereby eliminating the turnaround as proposed in prior plans for the project. This would improve the circulation as the building could be accessed from both directions. A portion of Exeter Street would require vacation as a result of these plans and he noted that vacation on the site plan for the Commission. Stormwater would be accommodated on site and sized for a retention pond as well. A question remained as to the preference by the City for either curb and gutter for the project, or a more rural ditch system. Either preference could be accommodated; however, flexibility in dealing with the roadway was considered the main focus.

R. Dupler noted the parking spaces were not a concern in this case as the emergency and road maintenance staff all thought it appropriate. He did remain concerned about the current geometry of the entry roadway in that the entry road and Smythe Lane would form an "L" intersection for navigational purposes. He thought the roadway should include a minimum 100 foot radial curve as was found in other parts of the City to mitigate traffic flow concerns.

J. Lichtenstein explained the preference for the L intersection was based on the concept that people would need to slow down to properly navigate the roadway.

R. Dupler noted that when considering the overall campus wide driving patterns, it would be important to allow future linkages where appropriate. He thought this would make it more reasonable for those exiting the campus.

M. DeYoe requested the Public Works Committee review this proposal for traffic engineering purposes.

Discussion ensued regarding the origination and destination of traffic entering and exiting the campus and the necessary road access points needed to accommodate this traffic.

C. Smith noted the possibility of partnering with SJNMA regarding restoration of a prairie area referenced in their future plans for the natural area by the Fine Arts Center. M. Frede suggested the use of grant monies to assist in funding this aspect of the project.

Discussion ensued regarding the need for curb and gutter on the site. J. Lichtenstein explained the choice for curb and gutter or a rural ditch system would not substantially change the drainage pattern for the project. If the rural system was determined to be the best aesthetic look, the water would be collected under the roadway for stormsewer purposes. More information would have to be analyzed prior to making a final determination on whether one system was better than another in this matter. He requested the Commission provide flexibility in dealing with the storm water issues associated with this project. In addition, he requested flexibility in exploration of options related to the curvature of the entry roadway.

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Mayor McAleer stated if there was an engineering concern, then he would support the use of curb and gutter; however, if it was just aesthetics, he preferred the rural look as it fit the rest of the campus. D. Jashinsky agreed, noting there was no curb and gutter on the entire SJNMA campus.

R. Dupler explained, in response to a question by K. Attwell, that the storm water pond calculations were expected to satisfy all City ordinances at this time as proposed.

M. DEYOE MOVED TO APPROVE AND RECOMMEND TO THE COMMON COUNCIL A MAJOR CHANGE TO THE CONDITIONAL USE FOR A NEW FINE ARTS BUILDING AND AMENDMENT TO THEIR CAMPUS MASTER PLAN FOR ST. JOHN'S NORTHWESTERN MILITARY ACADEMY, DELC 0792.065.001, 1101 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: ST. JOHN'S NORTHWESTERN MILITARY ACADEMY CONTINGENT UPON THE PARKING AND ROAD CHANGES, STORMWATER RETENTION POND PLAN AND USE OF CURB AND GUTTER BEING REVIEWED BY THE PUBLIC WORKS COMMITTEE, THE PRAIRIE RESTORATION POTENTIAL BEING REVIEWED BY THE PARK AND RECREATION COMMISSION, THAT LAND BANKING BE ALLOWED FOR THE TENNIS COURTS FOR FUTURE USE, ACCESS AND LINKAGE TO THE VETERAN'S MEMORIAL RIVERWALK BE EXPLORED, AND PUBLIC ACCESS TO THE CITY LOT SOUTH OF THE PROPERTY BE EXPLORED AS PART OF THIS PROJECT CONSIDERATION. C. SMITH SECONDED THE MOTION. T. SCHUENKE CLARIFIED THE MEANING OF "REVIEW" BY THE COMMITTEES AND COMMISSION AND THE DESIRED OUTCOMES BY THE PLAN COMMISSION FOR THIS ACTIVITY. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DELC 0755.996, 2731 Nagawicka Road, Delafield.** Owner: James R. Lang. Applicant: Jay Lang, 132 W. Oak Street, Lake Mills, WI. Applicant seeks approval of a rezone from RE-2 (2-Acre Rural Estate) to RL-1 (Residential Lake) to eliminate a dual zoning condition. Applicant also seeks approval of a Final Certified Survey Map.

This item would not be discussed as part of this agenda due to a misprint in the public hearing notice for this item.

- c. **DELC 0798.973 and 0798.072, Delafield Woods (extension of Bleeker Street), Delafield** Owner: Joe McCormick. Applicant: Johnson Design, Inc, 211 W. Second Street, Oconomowoc, WI. Applicant seeks approval of Planned Development General Development Plan to develop a multi-use residential project consisting of two multi-family buildings and single family homes, and recommendation to the Common Council of the same.

Kent Johnson, of Johnson Designs, Oconomowoc, Wisconsin, and representative for the applicant, introduced Peter Davis, of Johnson Design and Rob Davy, of Lake Country Engineering to the Commission.

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P. Davis distributed a revised site plan to the Commission. K. Johnson noted the changes to the General Development Plan included a change in lot size and lot width from the original proposal for this project. He noted the lot width would be 70 feet, and all lots would conform to the R-3 zoning standards set forth by the City. Consideration was being requested on a reduction of front setbacks from 35 feet to the requested 15 feet. Sideyard setbacks were to be reduced from 30 feet to 11.2 feet. There were no concerns about rear setbacks. The request was related to a desire to establish connections with pedestrian walkways and the roadway similar to those found in traditional neighborhoods. He went on to explain that the garages were to the back of the house and each house was to have a porch to assist in providing social interaction. This element was considered essential for this project and architecture would be strictly controlled throughout the project so that the project would resemble a traditional neighborhood.

K. Attwell questioned the storm water management as a result of the drainage issue referenced by the neighboring property owner. R. Davy explained that currently the property drained approximately 50 acres to the wooded area with no conduit for removal. A wet detention basin would be constructed as part of this project and a liner installed to discourage seepage. There would also be a conduit installed that would assist water outflow to the City sewer system. He noted that if the property owner's basement was below the Ordinary High Water Level mark, there was little that could be done. Stormwater could be controlled, but groundwater could not.

R. Dupler stated he believed the static water level would be above the property owner's basement level. He thought the action to construct a pond and provide a liner would assist in water management in that area; however, there would still be groundwater in that location. He thought the proposal to include a reasonable approach to resolution of the drainage in that area, and thought it would improve the current situation immensely.

D. Jashinsky cautioned against the use of a clay liner as the City had negative results in the past with a clay liner. R. Davy stated the previous minimum standards required a liner at least one foot thick; however, the developer would now utilize a two foot thick clay liner for the pond as DNR standards had changed in recent months and this was the new minimum requirement. He also stated groundwater near the property would not be fixed as part of this resolution.

K. ATTWELL MOVED TO APPROVE THE PLANNED DEVELOPMENT GENERAL DEVELOPMENT PLAN TO DEVELOP A MULTI-USE RESIDENTIAL PROJECT CONSISTING OF TWO MULTI-FAMILY BUILDINGS AND SINGLE FAMILY HOMES, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME FOR DELC 0798.973 AND 0798.072, DELAFIELD WOODS (EXTENSION OF BLEEKER STREET), DELAFIELD OWNER: JOE MCCORMICK. APPLICANT: JOHNSON DESIGN, INC, 211 W. SECOND STREET, OCONOMOWOC, WI. AS PRESENTED WITH 11.5 FOOT SIDYARD SETBACK REQUIREMENTS PER CITY CODE. M. DEYOE SECONDED THE MOTION. D. JASHINSKY QUESTIONED THE PROCESS FOR THIS MATTER. R. DUPLER STATED THE APPLICANT HAD SATISFIED PREVIOUS COMMENTS FROM CITY STAFF, BUT

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THE SPECIFIC IMPLEMENTATION PLAN WOULD HAVE TO BE REVIEWED BY THE PUBLIC WORKS COMMITTEE. C. SMITH QUESTIONED WHETHER FEEDBACK HAD BEEN RECEIVED FROM RESIDENTS ON ANY OTHER MATTERS. K. JOHNSON STATED HE HAD NOT HEARD ANY NEGATIVES ASSOCIATED WITH THIS TYPE OF PROJECT AND HE THOUGHT PEOPLE WERE INTERESTED IN REESTABLISHING A CONNECTION TO THE STREET. POSITIVE COMMENTS HAD BEEN RECEIVED REGARDING THE SIZE OF THE HOUSES AND FINE DETAILING IN OTHER SIMILAR PROJECTS. THEY ALSO LIKED THE CONNECTION TO TRAILS AND GREEN SPACE ASSOCIATED WITH SIMILAR PROJECTS. HE ALSO NOTED THE SIDEWALKS COULD BE MADE TO PARALLEL THE ROADWAY AS PART OF THE PLANS FOR THE PORTION OF THE PROJECT FROM THE R-3 ZONING NORTHWARD. M. KATZ STATED HE THOUGHT THE PLAN SEEMED MORE LIKE THAT FOUND IN AN "EAST SIDE" NEIGHBORHOOD. HE QUESTIONED WHETHER OTHER COMMUNITIES WERE EMBRACING THIS STYLE. HE LIKED THE GARAGES IN THE BACK OF THE HOUSE, BUT WAS CONCERNED ABOUT THE HOUSING BEING SO CLOSE TO THE STREET. MAYOR MCALEER STATED THE CITY'S COMPREHENSIVE PLAN INCLUDED PEDESTRIAN FRIENDLY AREAS IN THE URBAN CORE OF THE CITY. R. DUPLER STATED THIS ZONING DISTRICT WAS CLOSE IN PROXIMITY TO THE CBD-2 DISTRICT THAT ALLOWED TEN FOOT SETBACKS. M. KATZ STATED HE DID NOT OBJECT; HOWEVER, HE WANTED TO RAISE THE QUESTION AS THERE WERE NO OTHER AREAS LIKE THIS IN DELAFIELD CURRENTLY. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- d. Discussion and action on to deny the current Delafield Woods Preliminary Plat dated May 18, 2010 due to changes on the Preliminary Plat.

This item was withdrawn from the agenda at the request of the applicant.

- e. **DELCO 0797.979.005 through 0797.979.026, 503 to 637 Sanctuary Lane, Delafield.** Owner: Trillium Development, LLC. Applicant: Jeffrey Christensen. Applicant seeks approval of a Planned Development – revised Specific Implementation Plan to allow for additional modified architecture, relocated building pads, reduced landscape features and an additional sign.

Vac Milka, Kingsway Homes, builder and designer for the project, explained that architectural integrity had been maintained in the housing proposed for this project, but would include smaller units in size and scale. While the distance of the units had been reduced from front to back, the width of each unit would remain the same. The change was market driven with a request for smaller more efficiently designed homes with energy efficiency included. To that end, the chimneys had been removed from the original plan. The architecture was already intact and a unit was currently under contract. The remaining building pads would all be located within the building footprint, but would be site specific as to the amount of shift within each footprint.

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Mayor McAleer stated he had no questions as he was happy to have the smaller size as part of the project plan. The trees and lighting remained areas of concern.

John Stigler, of Jahnke and Jahnke, stated the lights were situated atop the walls near the signage. Due to the concerns raised on this matter, efforts had been made to install lower wattage halogen light bulbs to determine if there was a reduction in the brightness associated with the current fixtures.

R. Dupler had checked the photometrics on site, and noted that with the converted bulbs, there was less than half of the previous luminescence. There was no street light at this intersection and the overage in lighting did assist in helping motorists to see the center island while traversing the roadway. He went on to explain this was a matter that demonstrated what was approved had not been installed.

Discussion ensued regarding the visibility of the current lighting as it impacted the neighboring properties. Mayor McAleer questioned why the original plan could not be followed. J. Stigler noted the safety at the intersection was of importance in this matter.

T. Maney expressed concern for the approval of the current installation as the original approval did not support these lamps. Neighbors were assured that the lamps were going to be 18 inches high and the lamps were currently 43 inches high. Someone was responsible for this overage as part of the Trillium project and this was clearly too high and causing problems for neighboring residents. This issue required resolution.

K. Attwell noted there was additional screening that was to have taken place as part of this project that was incomplete at this time. While peripheral plantings had been done, the trees were deciduous and would not provide ample screening in all seasons. M. DeYoe stated she would like to see the original plantings added for screening as stipulated in prior approvals.

Discussion ensued regarding the storm water ponds for the project. T. Maney would verify the information provided on storm water calculations to make sure the ponds were working appropriately as designed.

Mayor McAleer stated he would like the City Engineer and Director of Public Works to review the "as built" for the project and any approval should be conditioned upon review of the ponds.

D. Jashinsky questioned the use of pavers in the streetscape. R. Dupler explained this issue was a matter of logistics as the developer owned the bricks and it did not make sense to place the brickwork until construction was complete. He also noted more trees were preserved in this project than expected, thus the necessary mitigation had been reduced at this time.

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Discussion ensued regarding the timeline for completion of the tasks referenced in this review process. It was requested that the applicant have 120 days to complete the required tasks associated with this project.

V. Milka requested consideration be given to allowing the house construction to proceed as a separate issue apart from the overall site concerns.

With regard to the detention ponds on site, J. Stigler stated there was renewed commitment to placement of the appropriate liner and plantings around the ponds.

C. SMITH MOVED TO RECOMMEND APPROVAL OF A PLANNED DEVELOPMENT – REVISED SPECIFIC IMPLEMENTATION PLAN TO ALLOW FOR ADDITIONAL MODIFIED ARCHITECTURE, RELOCATED BUILDING PADS, REDUCED LANDSCAPE FEATURES AND AN ADDITIONAL SIGN FOR DELC 0797.979.005 THROUGH 0797.979.026, 503 TO 637 SANCTUARY LANE, DELAFIELD. OWNER: TRILLIUM DEVELOPMENT, LLC. APPLICANT: JEFFREY CHRISTENSEN AND THAT THE LIGHT SOURCE BE SUBSTITUTED TO MEET THE ORIGINAL PHOTOMETRICS REQUIREMENT FOR THE PROJECT, INSTALL SCREENING AND LANDSCAPING IN ACCORDANCE WITH THE ORIGINAL PLAN ALONG THE PROPERTY LINES, INSTALL WETLAND PLANTINGS AROUND THE RETENTION POND, AND ALL ACTIONS CONTINGENT UPON STAFF APPROVAL OF “AS BUILT” DRAWINGS WITH COMPLETION BY OCTOBER 15, 2010 AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. M. DEYOE SECONDED THE MOTION. DISCUSSION ENSUED REGARDING THE HEIGHT OF THE LIGHTING IN RELATIONSHIP TO THE WALL HEIGHT. THERE WAS NO FURTHER DISCUSSION. FOUR WERE IN FAVOR. M. DEYOE AND M. KATZ VOTED NAY. MOTION CARRIED.

Mayor McAleer recessed the meeting at 8:59 p.m. and reconvened the meeting at 9:05 p.m.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

None.

6. PRELIMINARY

- a. **DELC 0798.977.001, 333 Lapham Peak Road, Delafield.** Owner: American Legion Post 196. Applicant: Craig Everson, Adjutant, W317 N882 Clover Park, Delafield. Applicant seeks preliminary feedback for a new lodge building and site improvements.

C. Everson explained the current American Legion Post building dated to 1954 as an Army Barracks. The current lodge could hold 150 people and the post had outgrown its purpose. The City had grown as had the needs of the Legion Post building and to that end, the building was undergoing revision to bring it to Code requirements and make it more energy efficient. The old building would eventually be removed once the construction of the new Post would be constructed. The desire of the Post

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members was to begin fundraising at this time and begin construction of the project in Fall of 2011.

Josh Davison, of the Heartland Group and architect for the project, explained the new building would be added on site adjacent to the old building and removed after construction was complete. A new parking lot would also be added. He noted the residential scale of the building as well as the architectural materials that would include steel lap siding and colored accents and trim. The building would have asphalt shingles

Discussion ensued regarding the use of natural materials on the exterior of the building, as well as the accessibility of the building to the outdoor amenities. Parking requirements were noted. Heating and cooling units were also discussed. The kitchen use and architectural details were also discussed.

It was suggested that the architectural details to be utilized on the exterior be re-examined as well as the mechanicals for the building being placed on the roof.

More information would be available on this matter at a later date.

7. ZONING AND ORDINANCE REVISION

- a. Discussion and action on Ordinance No. 635, An Ordinance to Repeal and Recreate Sections 17.12(3) of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin, Related to Lots on Navigable Waters, and recommendation to the Common Council of the same.

T. Schuenke explained the request for this proposed ordinance language was precipitated by a concern from Alderperson Beth Leonard regarding the need to preserve trees on all lots, but especially lakefront lots, to avoid clear cutting to gain views of the lake.

Concern was expressed by the Commission for having this issue become subjective and difficult to enforce. Mayor McAleer stated that historically he had been reluctant to encumber single family lots with having to keep trees that were not wanted.

M. FREDE MOVED TO REJECT ORDINANCE NO. 635, AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 17.12(3) OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, RELATED TO LOTS ON NAVIGABLE WATERS, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. K. ATTWELL SECONDED THE MOTION. K. ATTWELL STATED THIS ORDINANCE COULD BE REEXAMINED AND PRESENTED AS A MATHEMATICAL FORMULATION WITH MORE SUPPORT IN HIS OPINION. M. DEYOE AGREED, NOTING IT WOULD NEED TO BE MORE OBJECTIVE. C. SMITH STATED ONE OPTION MIGHT BE TO WORK WITH CITY RESIDENTS TO EDUCATE THEM ON THE RAMIFICATIONS OF CLEAR CUTTING INSTEAD OF MAKING THIS ISSUE ONE OF ENFORCEMENT BY THE CITY. M. KATZ EXPRESSED CONCERN FOR DIRECTING THE ACTIONS OF

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PEOPLE RELATED TO TREES ON THEIR PROPERTY. D. JASHINSKY NOTED THAT MOST PEOPLE WANTED TO HAVE TREES ON THEIR PROPERTY AND AN ORDINANCE WAS NOT NEEDED TO DO SO. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

8. HEARING DATES

G. Gresch stated there were one public hearing slated for the July 28, 2010 Plan Commission Meeting Agenda.

9. ADMINISTRATOR'S REPORT

None.

10. PLANNER'S REPORT

None.

11. BUILDING INSPECTOR'S REPORT

T. Maney stated the total number of permits to date was 37 with 1 new single family home permit.

12. BOARD OF ZONING APPEALS

None.

13. CORRESPONDENCE

None.

14. ADJOURNMENT

K. ATTWELL MOVED TO ADJOURN THE JUNE 30, 2010 PLAN COMMISSION MEETING AT 9:21 P.M. C. SMITH SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.